

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JAMES HAYDEN,

Plaintiff,

v.

2K GAMES, INC. and TAKE-TWO  
INTERACTIVE SOFTWARE, INC. ,

Defendants.

CASE NO. 1:17-cv-02635-CAB

**DEFENDANTS 2K GAMES, INC. AND TAKE-TWO INTERACTIVE SOFTWARE,  
INC.'S MOTION TO EXCLUDE ANY TESTIMONY, ARGUMENT OR EVIDENCE  
REGARDING JUSTIN LENZO'S POTENTIAL MARKET OPINION**

In accordance with Federal Rules of Evidence 702 and 403, Defendants 2K Games, Inc. and Take-Two Interactive Software, Inc. move to exclude any testimony, argument or evidence regarding the potential market opinion of Plaintiff James Hayden's expert, Justin Lenzo.

The reasons for granting this motion are more fully explained in the attached memorandum in support, which is incorporated here by reference.

Dated: New York, New York  
October 25, 2021

/s/ Dale M. Cendali

Dale M. Cendali (admitted *pro hac vice*)  
Joshua L. Simmons (admitted *pro hac vice*)  
Chris Ilardi (admitted *pro hac vice*)  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022  
Telephone: (212) 446-4800  
dale.cendali@kirkland.com  
joshua.simmons@kirkland.com  
chris.ilardi@kirkland.com

Miranda D. Means (admitted *pro hac vice*)  
KIRKLAND & ELLIS LLP  
200 Clarendon Street  
Boston, Massachusetts 02116  
Telephone: (617) 385-7500  
miranda.means@kirkland.com

Matthew J. Cavanagh (OH 0079522)  
MCDONALD HOPKINS LLC  
600 Superior Avenue, East, Ste. 2100  
Cleveland, Ohio 44114  
Telephone: 216.348.5400  
Fax: 216.348.5474  
mcavanagh@mcdonaldhopkins.com

*Attorneys for Defendants 2K Games, Inc. and  
Take-Two Interactive Software, Inc.*